

Congress of the United States
House of Representatives
Washington, DC 20515

June 8, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy,

We write to express concern regarding the Environmental Protection Agency's (EPA) implementation of the Renewable Fuel Standard (RFS). As you know, EPA's 2016 rule increasing Renewable Volume Obligations (RVOs) is projected to move us beyond the blend wall. We remain concerned about the lack of consumer awareness surrounding the limitations of E15 and the damage it can cause to engines and infrastructure. As such, we ask EPA to provide information as to how the agency plans to ensure that consumers are given adequate information regarding this issue.

Following EPA's final rule issued on November 30, 2015, the use of ethanol blends such as E15 will be increasingly required in order to meet EPA's RVO requirements. Since 2011, EPA has recognized the limitations of E15 and only approved E15 for use in conventional motor vehicles of model year 2001 and newer. In its approval process, the EPA prohibited the use of E15 in non-approved engines, including motorcycles, off-road vehicles, boats and marine equipment, small spark-ignited engines, and vehicles older than 2001. Accompanying the E15 waiver, EPA consented to the 2012 Misfueling Mitigation Plan to help provide guidance and protections to retailers and consumers. Thus, to date, the only information offered to consumers, to our knowledge, has been an at-the-pump, 3x3 inch label, which has not provided sufficient awareness of the dangers of mistakenly fueling with E15.

Additionally, in its 2015 rulemaking, EPA recognized its RVOs for 2016 will put pressure on the market to exceed the E10 blend wall, acknowledging that meeting the increased volume level could require significantly greater use of E15. Thus, for the first time, the ethanol content of our nation's gasoline supply will exceed the amount of ethanol that can be safely accommodated by much of our infrastructure and in non-approved engines, like motorcycles, boats, and outdoor power equipment. This is of particular concern because, according to a recent report, only five percent of consumers are currently aware that E15 is prohibited for use in certain engines, with 60 percent of consumers assuming that any gas sold at a gas station must be

safe for all of their engines. Only 24 percent of consumers notice ethanol content while at the pump¹.

However, while consumers remain unaware of the high cost of inappropriate use of E15, misfueling can lead to significant problems. According to the American Automobile Association, American Motorcyclist Association, and National Marine Manufacturers Association, use of E15 will instantly void warranties for their engine products. Additionally, research conducted by the marine industry shows that E15 use in marine engines can pose serious safety and technology concerns, including operational malfunctions and complete engine failure.

As E15 supplies increase across the country, uninformed consumers will make fueling mistakes, resulting in costly and dangerous malfunctions. Therefore, we request information on what type of research EPA has performed, and any data it has collected, to understand the current level of consumer awareness regarding the dangers inherent in the inappropriate use of E15. In addition, we request information as to what actions EPA has taken to address consumer awareness and ensure the American public has the information it needs to avoid the consequences inherent within the distribution and use of midlevel blends of ethanol, like E15.

Congress will continue to seek a permanent solution for the RFS, but until then it is imperative that EPA take upon itself the responsibility to reduce the likelihood of widespread fueling mistakes associated with E15. We request a response as to how the agency plans to prevent such avoidable accidents if it intends to continue to administer the RFS in a manner that increases RVOs to a level beyond the blend wall. We look forward to hearing from you.

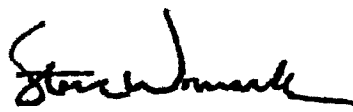
Sincerely,



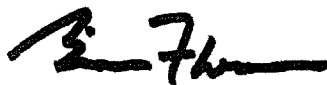
Bob Goodlatte
Member of Congress



Peter Welch
Member of Congress



Steve Womack
Member of Congress

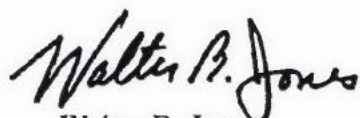


Bill Flores
Member of Congress

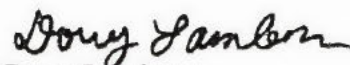


Jim Costa
Member of Congress

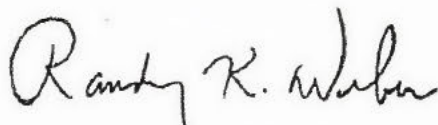
¹ "A Survey about Ethanol, Fuel and Gasoline Pumps" prepared by *Harris Poll* (March, 2016)



Walter B. Jones
Member of Congress



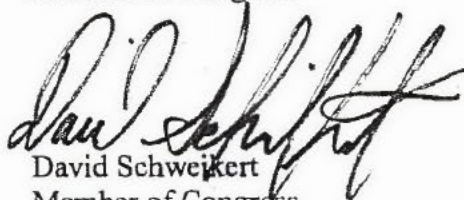
Doug Lamborn
Member of Congress



Randy Weber
Member of Congress



Bruce Westerman
Member of Congress



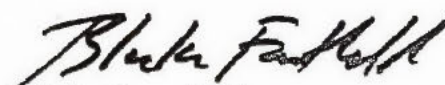
David Schweikert
Member of Congress



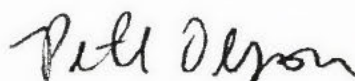
Paul Gosar
Member of Congress



Mo Brooks
Member of Congress



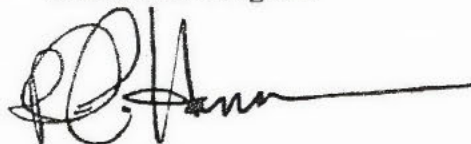
Blake Farenthold
Member of Congress



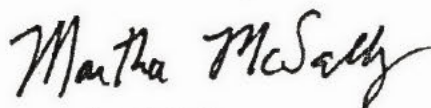
Pete Olson
Member of Congress



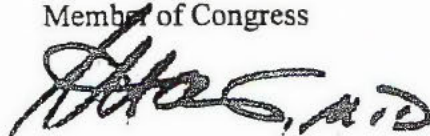
Keith Rothfus
Member of Congress



Richard Hanna
Member of Congress



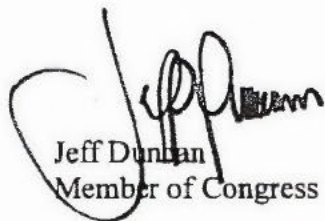
Martha McSally
Member of Congress



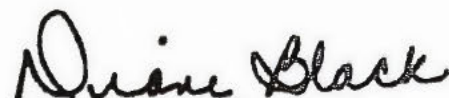
Andy Harris
Member of Congress




Doug LaMalfa
Member of Congress




Jeff Duncan
Member of Congress



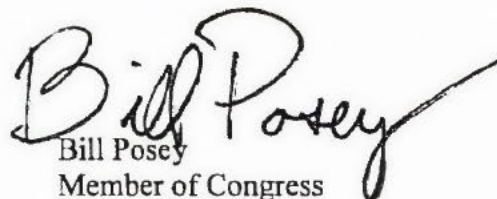
Diane Black
Member of Congress



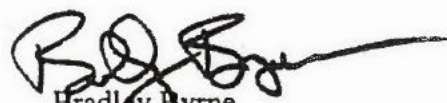
Frank LoBiondo
Member of Congress



Trent Franks
Member of Congress




Bill Posey
Member of Congress




Bradley Byrne
Member of Congress




Pete Sessions
Member of Congress




Louie Gohmert
Member of Congress



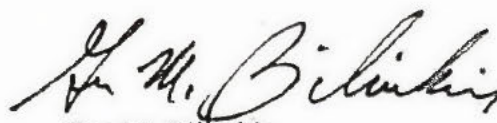
Barbara Comstock
Member of Congress




Lodey Hice
Member of Congress



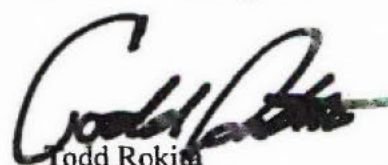
David W. Bonior
Member of Congress



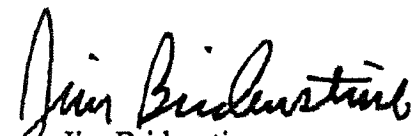
Gus M. Bilirakis
Member of Congress




Duncan Hunter
Member of Congress




Todd Rokita
Member of Congress




Jim Bridenstine
Member of Congress




Mick Mulvaney
Member of Congress



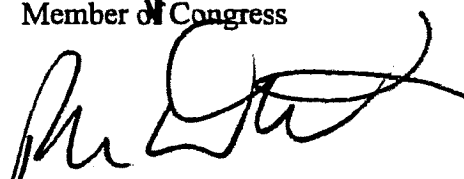
Earl L. 'Buddy' Carter
Member of Congress



Doug Collins
Member of Congress



French Hill
Member of Congress




Ron Desantis
Member of Congress




Brad Wenstrup
Member of Congress

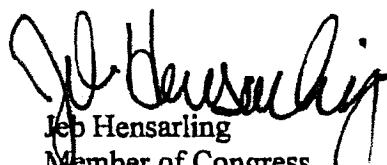
Tim Murphy
Member of Congress




Tom Cole
Member of Congress



Robert Hurt
Member of Congress



Jeb Hensarling
Member of Congress



Rob Bishop
Member of Congress

**CONGRESSMAN BOB GOODLATTE**

6th District, Virginia
U.S. House of Representatives
Phone: (202) 225-5431

2309 Rayburn Building
Washington, D.C. 20515
Fax: (202) 225-9681

To: The Environmental Protection Agency

Fax: (202) 501-1519

Phone: (202) 564-5200

From: ☒ Bob Goodlatte ☐ Charlie Keller ☐ Lindsay Yates
☐ Mary Pritschau ☐ Beth Breeding ☒ Angela Inglett
☐ Chrissi Lee ☐ Temple Moore ☐ Mike Ambrose
☐ _____

Number of pages to follow: 5

Message: Please deliver to Administrator McCarthy or
any other correct staffer.

The information contained in this facsimile is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the person responsible for delivering this facsimile to the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this facsimile in error, please notify this office at (202) 225-5431. Thank you.

